

I. Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently amended) A method for selecting software patches for installation on a system[,] comprising: ~~the steps of:~~

analyzing the system to identify any patches previously installed on the system;

obtaining one or more successor patches to at least some of the identified and previously installed patches, at least some patches rated as to reliability for installation;

comparing the reliability for installation of at least some patches to that of successor patches; and

selecting identifying at least one patches as [[a]] candidates for installation on the system based on the results of these comparisons. ~~analysis.~~

2. (Currently amended) The method of claim 1, further comprising ~~the step of~~ indicating, when a replacement patch is selected, which previously installed patch, if any, a selected patch will displace.

~~designating the patch identified as a recommended patch for installation on the system based on patches identified through analysis.~~

3. (Currently amended) The method of claim 1, further comprising:

analyzing the system to identify files or file sets installed on the system;

obtaining one or more patch trees including at least one patch and designated as patches for one or more of the identified files or file sets, at least some patches rated as to reliability for installation;

comparing the reliability for installation of at least some patches to that of successor patches in the patch trees; and

selecting patches as candidates for installation on the system based on the results of these comparisons.

~~2, wherein the patch identified for installation is either a new patch or a successor patch for a previously installed patch.~~

4. (Currently amended) The method of claim 3 ~~[[2]]~~, further comprising selecting as alternate candidates for installation other successor patches, if any, in each patch tree based upon their being the most current patches.

~~further comprising the step of selecting the patch identified for installation on the system.~~

5. (Currently amended) A method for selecting software patches for installation on a system, comprising: ~~the steps of:~~

analyzing the system to identify files or file sets ~~patches previously~~ installed on the system;

obtaining one or more patch trees including at least one patch and designated as patches for one or more of the identified files or file sets, at least some patches rated as to reliability for installation;

comparing the reliability for installation of at least some patches to that of successor patches in the patch trees; and

selecting generating a list of patches as candidates for installation on the system based on the results of these comparisons. ~~analysis.~~

6. (Currently amended) The method of claim 5, further comprising ~~the step of~~ selecting as alternate candidates for installation other successor patches, if any, in each patch tree chosen based upon their being the most current patches. ~~rating each patch according to its reliability of installation.~~

7-9. (Deleted)

10. (Newly submitted) An apparatus ~~method~~ for selecting software patches for installation on a given system, the apparatus comprising:

a systems database containing information identifying at least some files or file sets installed one or more systems including the given system;

a patches database containing software patches, an indication of the reliability for installation of at least some of the patches, and an indication of which files or file sets the patches are intended to repair;
a patch tree database linking successor patches into patch trees; and
at least one executable computer program having at least read access to said databases and containing one or more routines for
determining, through access to the systems database, which files or file sets are installed on the given system,
determining, through access to said patches and patch tree databases, which patches and patch trees are applicable to the files or file sets of the given system and also the reliability for installation of at least some of the patches,
comparing the reliability for installation of at least some of the applicable patches to those of successor patches in the patch trees, and
selecting from the applicable patches candidates for installation on the given system based on the results of these comparisons.

11. (Newly submitted) A system in accordance with claim 10 wherein the computer programs further include one or more routines that also select from the applicable patches candidates for installation on the given system based upon the patches being the most current patches available, as indicated by their occupying the root position in the applicable patch trees.
12. (Newly submitted) A system in accordance with claim 10 wherein the systems database also identifies patches already installed on systems; and wherein the computer programs further include one or more routines that identify patches already installed on the given system and the corresponding patch trees,
identify any successor patches in the corresponding patch trees to the patches already installed on the given system,

compare the reliability for installation of the already installed patches
and any successor patches, and
select from the successor patches candidates for installation on the
given system based on the results of these comparisons.

13. (Newly submitted) A system in accordance with claim 12 wherein the computer programs further include one or more routines that also select from the applicable patches candidates for installation on the given system based upon the patches being the most current patches available, as indicated by their occupying the root position in the applicable patch trees.

14. A system in accordance with claim 12 wherein the computer programs further include one or more routines that identify the patches already installed on the system and selected candidates that will displace these patches already installed on the system.

15. (Newly submitted) A system in accordance with claim 12 wherein the computer programs further include one or more routines that also select from the applicable patches candidates for installation on the given system based upon the patches being the most current patches available, as indicated by their occupying the root position in the applicable patch trees.